

**UNITED STATES DISTRICT COURT
DISTRICT OF NEW HAMPSHIRE**

Paul Maravelias,	*	
	*	
Plaintiff,	*	
v.	*	Civil No. 1:19-cv-487-JL
	*	
New Hampshire Supreme Court, et al	*	
	*	
Defendants.	*	
	*	

NOTICE RE PLAINTIFF'S SECOND AMENDED COMPLAINT

As attorney for the Defendants in the previously filed complaint, counsel has received a copy of the ECF filing of Mr. Maravelias Second Amended Complaint. On examination, it appears that no response is currently due, as none of the named defendants in the newly filed amended complaint have been served. In support thereof, the defendants state as follows:

1. The named defendants in the first amended complaint were former Chief Justice Robert J. Lynn in his personal and official capacity and the New Hampshire Supreme Court, a governmental entity. These are the only defendants for whom a summons was issued, for whom service was accomplished, and for whom an appearance was filed.

2. The named defendants in the second amended complaint are the current Justices of the New Hampshire Supreme Court in their individual capacities, and Attorney General Gordon MacDonald, in his individual and official capacity.

3. Justice Lynn is not named in the second amended complaint, and correctly could not be, given his retirement. As Mr. Maravelias acknowledges, the current chief justice is unknown. The Supreme Court as a body has also correctly been omitted as a defendant.

4. Counsel has reviewed the docket and it does not appear that any summons have been requested or issued as to any of the new defendants named in the second amended complaint. Therefore, no service has been, or can be, accomplished on any of the new defendants.

5. As there is a complete mismatch between the only defendants previously served and for whom an appearance has been entered, and the new defendants who have not been served and for whom no appearance has been entered, there is no response to the second amended complaint currently due.

Respectfully submitted,
ATTORNEY GENERAL

Date: December 30, 2019

/s/ Nancy J. Smith
Nancy J. Smith, NH Bar ID # 9085
Senior Assistant Attorney General
New Hampshire Attorney General's Office
33 Capitol Street
Concord, NH 03301
Phone: (603) 271-3650
nancy.smith@doj.nh.gov

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing was served on all parties using the court's ECF system

Date: December 30, 2019

/s/ Nancy Smith
Nancy J. Smith